

Appl. No.: 10/036,304
Reply to Office Action of: 7/7/2004

an alternative graphics mode. Walsh appears to be silent regarding how, or even if, a data transfer rate is displayed. Please note, claim 1 is in regard to display of a data transfer rate; not merely a data transfer. For example, Fig. 3A of the present patent application shows data transfer rates in a graphics mode (the right and left arrows being full or not) and Fig. 3B shows data transfer rates in an alphanumeric mode (145 kbps and 28 kbps; (kbps=kilobits-per-second)). Walsh appears to be silent regarding how, or even if, a data transfer rate is displayed.

As the examiner admitted, Walsh et al. does not disclose a system for switching between displaying the transfer rates in an alphanumeric mode and a graphics mode. In mentioning Herrod et al. and Soini et al., the examiner does not indicate that either one of these references disclose or suggest a system for switching between displaying the transfer rates in an alphanumeric mode or a graphics mode.

There is no disclosure or suggestion in Herrod et al. of a system for switching between displaying the transfer rates in an alphanumeric mode or a graphics mode. Any statement to the contrary is simply incorrect.

In regard to Soini et al., the present application has priority back to December 28, 2001. Soini et al. is owned by the same owner as the present application; Nokia Corporation. Soini et al. and the present application were, at the time the invention of the present application was made, commonly owned. The examiner is directed to MPEP §706.02(1)(2). In accordance with MPEP §706.02(1)(2)(II), it is understood that this

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statement alone is sufficient evidence to disqualify Soini et al. from being used in a rejection under 35 U.S.C. §103(a) against the claims of the present application. Thus, the examiner is requested to withdraw the rejection based upon Soini et al.

Regarding independent claim 8, neither Walsh nor Herrod et al. disclose or suggest means for displaying a data transfer rate of data with the transceiver on the display in an alphanumeric format.

Regarding independent claim 11, neither Walsh nor Herrod et al. disclose or suggest a system for inactivating display of the data transfer rate on the display while the transceiver is transmitting or receiving the data.

Regarding independent claim 17, neither Walsh nor Herrod et al. disclose or suggest selecting, by a user, a data transfer rate display mode from a plurality of data transfer rate display modes.

Regarding independent claim 21, neither Walsh nor Herrod et al. disclose or suggest selecting, by a user, to turn a displaying feature of the data transfer rate ON or OFF.

The features of the dependent claims, in addition to having the features of their respective independent claims, also have their own patentable features.

For all of the foregoing reasons, it is respectfully submitted that all of the claims present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is

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respectfully requested. Should any unresolved issue remain, the examiner is invited to call applicants' attorney at the telephone number indicated below.

Respectfully submitted,

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